



Zoning
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION

AGENDA ITEM NO.: Z-27
AGENDA DATE: Thu 12/02/2004
PAGE: 1 of 1

SUBJECT: C14-04-0157 - Nouri Project - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 186 Pond Springs Road (Lake Creek Watershed) from interim-rural residence (I-RR) district zoning to general commercial services (CS) district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Applicant: Masoud Nouri. Agent: Mo Moghadassi. City Staff: Sherri Gager, 974-3057.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-01-0157

ZAP DATE: November 2, 2004

ADDRESS: 186 Pond Springs Road

OWNER/APPLICANT: Masoud Nouri

AGENT: Mo Moghadassi

ZONING FROM: I-RR

TO: CS

AREA: 0.95 acres

SUMMARY STAFF RECOMMENDATION:

Staff's alternate recommendation is to grant CS-CO (Commercial Services-Conditional Overlay District) zoning. The conditional overlay would limit the site to uses that generate no more than 2,000 vehicle trips per day.

ZONING & PLATTING COMMISSION RECOMMENDATION:

11/2/04: Approved staff's recommendation of CS-CO zoning by consent (9-0); J. Martinez-1st, J. Gohil-2nd.

DEPARTMENT COMMENTS:

The property in question is an undeveloped, wooded tract of land. The site is located between a car wash (SP-00-2051C) that fronts onto Pond Springs Road and industrial/warehouse uses. The property takes accesses to a county road (County Road 186A), which dead ends into the industrial warehouse park to the southwest. The applicant is requesting CS, General Commercial Services District, zoning because he would like to develop a 3-4 bay automotive repair use on the site.

The staff recommends CS-CO district zoning for this property because the proposed zoning would be consistent with the CS-CO zoning to the west and the GR-CO zoning to the east. The General Commercial Services district would also be compatible with the current uses in the industrial warehouse park located to the north and west. The proposed zoning meets the purpose statement of the district sought and is consistent with existing commercial and industrial development in this area of the city.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-RR	Undeveloped
<i>North</i>	I-RR	Industrial Warehouse uses
<i>South</i>	I-RR	Large Detention Pond
<i>East</i>	GR-CO, I-RR	Car Wash, Automotive Repair
<i>West</i>	CS-CO	Industrial Warehouse Park

AREA STUDY: N/A

TIA: Waived

WATERSHED: Lake Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS: N/A

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-01-0074	I-RR to LI	6/19/01: Approved staff's alternate recommendation of CS-CO district zoning, with CO limiting the site to 2,000 vtpd, by consent (7-1, Cravey-Nay, Garza-Absent)	7/19/01: Approved CS-CO, all 3 readings
C14-99-2036	I-RR to GR	10/5/99: Approved GR-CO (7-1, RC-Nay) w/ only permitted GR use being a car wash and prohibiting the following uses: Automotive Rental, Automotive Repair Services, Automotive Sales, Business Trade School, Business Support Services, Commercial Off-Street Parking, Communication Services, Drop-Off Recycling Collection Facility, Exterminating Services, Funeral Services, Hotel-Motel, Indoor Entertainment, Indoor Sports and Recreation, Medical Offices, Outdoor Entertainment, Outdoor Sports and Recreation, Pawn Shop Services, Research Services, Restaurant (General), Theater, Hospital Services (General), Off-Site Accessory Parking	11/4/99: Approved GR-CO (6-0); all 3 readings
C14-98-0238	I-RR to CS	2/2/99: Approved staff alternate rec. of CS-CO, limiting the site to 2,000 vtpd (8-0)	3/4/99: Approved CS-CO (7-0); all 3 readings

C14-98-0199		1/12/99: Approved GR-CO zoning, limiting the site to 2,000 vtpd	2/11/99: Approved PC rec. of GR-CO (5-0); all 3 readings
C14-98-0198	I-RR to GR	1/19/99: Approved staff rec. of GR-CO zoning, limiting the site to 2,000 vtpd (9-0)	2/25/99: Approved PC rec. of GR-CO (7-0), all 3 readings
C14-98-0152	I-RR to CS	11/10/98: Approved staff alternate rec. of CS-CO, prohibiting adult oriented businesses, by consent (8-0)	12/10/98: Approved CS-CO, with CO limiting the site to 2,000 vtpd (7-0, 1 st) 2/25/99: Approved CS-CO (7-0, 2 nd /3 rd)

ABUTTING STREETS:

STREET	RIGHT-OF-WAY	PAVEMENT WIDTH	CLASSIFICATION	DAILY TRAFFIC
Pond Springs Road	100'	20'	Arterial	-

CITY COUNCIL DATE: December 2, 2004

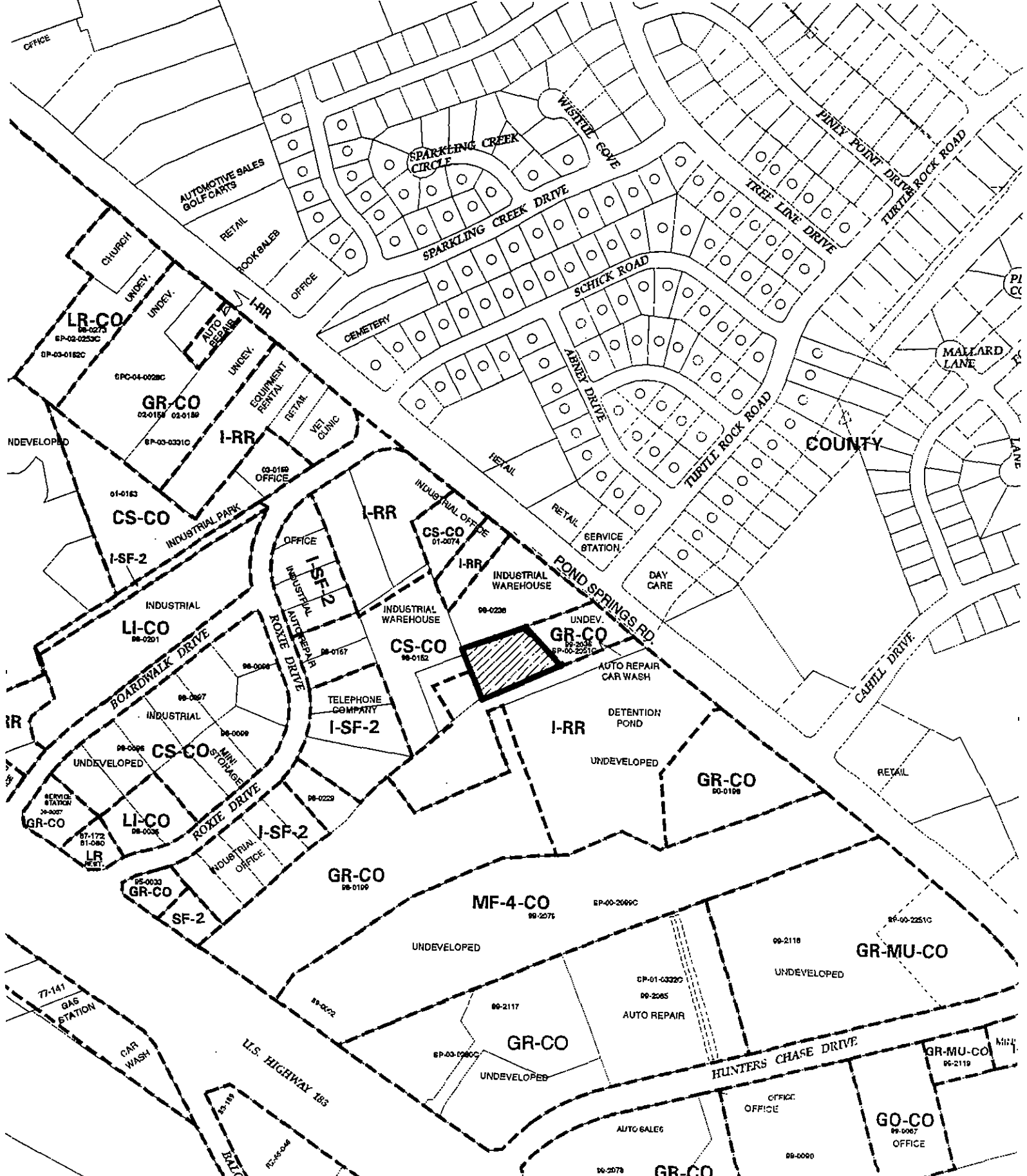
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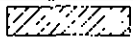

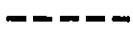
ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Gager

PHONE: 974-3057
sherri.gager@ci.austin.tx.us



 1" = 400'	SUBJECT TRACT		ZONING	CITY GRID REFERENCE NUMBER G37
	PENDING CASE			
	ZONING BOUNDARY			
	CASE MGR: S. GAGER			
CASE #: C14-04-0157			DATE: 04-10	
ADDRESS: 186 POND SPRINGS RD			INTLS: SM	
SUBJECT AREA (acres): 0.951				

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STAFF RECOMMENDATION

Staff's alternate recommendation is to grant CS-CO (Commercial Services-Conditional Overlay District) zoning. The conditional overlay would limit the site to uses that generate no more than 2,000 vehicle trips per day.

BASIS FOR RECOMMENDATION

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

The CS zoning district is intended for commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments.

2. *The proposed zoning should promote consistency, and orderly planning.*

CS-CO zoning would be consistent with the CS-CO zoning to the west and the GR-CO zoning to the east. The Commercial Services district would also be compatible with the current uses in the industrial warehouse park located to the north and west.

3. *Zoning should allow for reasonable use of the property.*

CS-CO zoning will allow the applicant to build a small automotive repair business in an area that consists of intensive commercial and industrial uses. The proposed zoning is consistent with existing development in this area of the city.

EXISTING CONDITIONS

Site Characteristics

The subject tract is undeveloped and heavily wooded. The site is located between car wash that fronts onto Pond Springs Road and industrial warehouse park to the west.

Impervious Cover

The maximum impervious cover allowed by the CS zoning district would be 95%. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% NSA with Transfers</i>
Single-Family Residential (min. lot size 5750 sq. ft.)	45%	50%
One or Two Family Residential (lot size < 5750 sq. ft.)	55%	60%
Multifamily Residential	60%	65%
Commercial	65%	70%

In the Water Quality Transition Zones, impervious cover is limited to 30%.

Environmental

The site is located over the North Edward's Aquifer Recharge Zone. It is in the Desired Development Zone. The site is in the LAKE Creek Watershed, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code.

According to flood plain maps, there is no floodplain within, or adjacent to the project boundary.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

The site is located within the endangered species survey area and must comply with the requirements of Chapter 25-8: Endangered Species in conjunction with subdivision and/or site plan process.

Transportation

No additional right-of-way is needed at this time.

The trip generation under the requested zoning is estimated to be 6,005 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

Capital Metro bus service is available along US Highway 183.

There are no sidewalks along Pond Springs Road.

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION
Pond Springs Road	100'	20'	Arterial

Right of Way

The scope of this review is limited to the identification of needs for dedication and/or reservation of right-of-way for funded Capital Improvement Program (C.I.P.) Roadway Construction Projects and Transportation Systems Management (T.S.M.) Projects planned for implementation by the City of Austin. No aspect of the proposed project is being considered or approved with this review other than the need for right-of-way for City projects. There are separate right-of-way dedication and reservation requirements enforced by other Departments and other jurisdictions to secure right-of-way for roadway improvements contained in the Austin Metropolitan Area Roadway Plan, roadway projects funded by County and State agencies, and for dedication in accordance with the functional classification of the roadway.

We have reviewed the proposed subdivision, site plan, or zoning case and anticipate no additional requirement for right-of-way dedication or reservation for funded C.I.P. or T.S.M. projects at this location.

Water and Wastewater

The landowner intends to serve the site with City water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or utility adjustment are required, the landowner, at own expense, will be responsible for providing. Also, the utility plan must be reviewed and approved by the Austin Water Utility. The landowner must be in accordance with the City design criteria and specifications.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

Compatibility Standards

No comments.

MF-2

BUBBLING

DRIVE ROAD

DOVE

APARTMENTS

MF-2

CHURCH

LR-CO

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GR-CO

OFFICE

INDUSTRIAL

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DOVE

DOVE

DOVE VALLEY TRAIL

DEER FALLS DRIVE

LABRADOR COVE

MALLARD LANE

TURTLE ROCK ROAD

ABNEY DRIVE

POND SPRINGS ROAD

SPARKLING CREEK DRIVE

SPARKLING CREEK DRIVE

BUBBLING

DRIVE ROAD

DOVE

DEER FALLS DRIVE

CAHILL DRIVE

BOARDWALK DRIVE

ROXIE DRIVE

U.S. HIGHWAY 183

HUNTERS CHASE DRIVE



I-RR

GR-MU-CO

GO-CO

OFFICE

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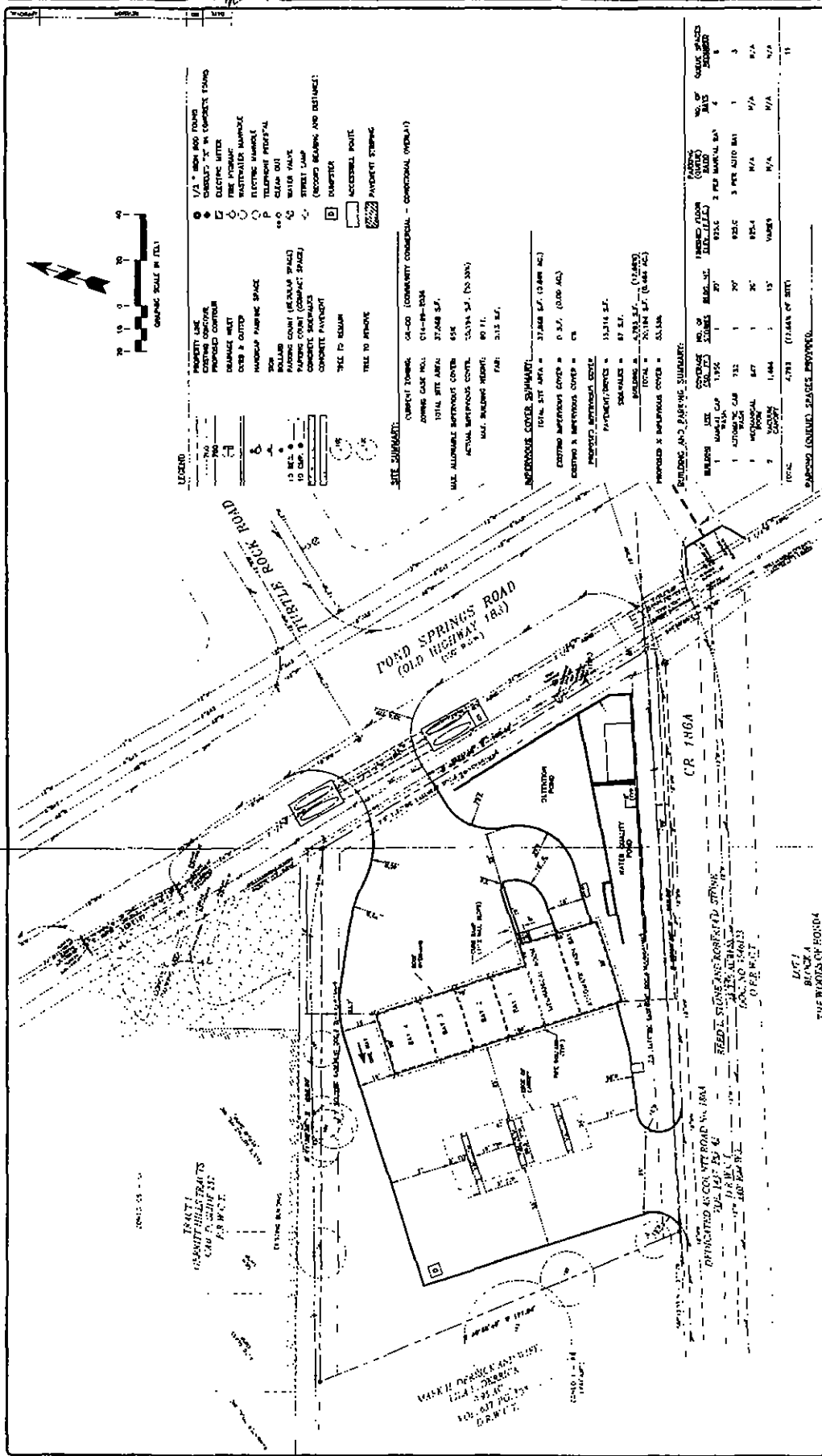
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ONLY ENACTS	11
COMMITTEE	0
MANUSCRIPT	0
TOTAL	11

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ORDINANCE NO. _____

1 **AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE**
2 **PROPERTY LOCATED AT 186 POND SPRINGS ROAD AND CHANGING THE**
3 **ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO**
4 **GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-CO)**
5 **COMBINING DISTRICT.**

6
7 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

8
9 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to
10 change the base district from interim rural residence (I-RR) district to general commercial
11 services-conditional overlay (CS-CO) combining district on the property described in
12 Zoning Case No. C14-04-0157, on file at the Neighborhood Planning and Zoning
13 Department, as follows:

14
15 A 0.951 acre tract of land, more or less, out of the Henry Rhodes Survey, Abstract
16 No. 522, Williamson County, the tract of land being more particularly described by
17 metes and bounds in Exhibit "A" incorporated into this ordinance, (the "Property")

18
19 locally known as 186 Pond Springs Road, in the City of Austin, Williamson County,
20 Texas, and generally identified in the map attached as Exhibit "B".

21
22 **PART 2.** The Property within the boundaries of the conditional overlay combining district
23 established by this ordinance is subject to the following conditions:

24
25 A site plan or building permit for the Property may not be approved, released, or
26 issued, if the completed development or uses of the Property, considered cumulatively with
27 all existing or previously authorized development and uses, generate traffic that exceeds
28 2,000 trips per day.

29
30 Except as specifically restricted under this ordinance, the Property may be developed and
31 used in accordance with the regulations established for the general commercial services
32 (CS) base district and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on _____, 2004.

PASSED AND APPROVED

_____, 2004

§
§
§

Will Wynn
Mayor

APPROVED: _____ **ATTEST:** _____
David Allan Smith Shirley A. Brown
City Attorney City Clerk

BEING A 0.951 ACRE TRACT OF LAND OUT OF THE HENRY RHODES SURVEY, ABSTRACT NO.522 IN WILLIAMSON COUNTY, TEXAS, BEING THE SAME TRACT OF LAND CONVEYED TO MARK AND LILA DERRICK DESCRIBED AS 0.95 ACRES BY DEED RECORDED IN VOLUME 637, PAGE 507 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS. SAID 0.951 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a P.K.NAIL set in concrete approach on the north line of County Road 186A for the Southeast corner of the herein described tract:

THENCE S 69° 52' 15" W along the North line of said County Road 186A for a distance of 278.27 feet (call S 69°51' 00" W, 277.96') to a steel cotton spindle found for the Southwest corner of the herein described tract, same being the Southeast corner of that certain Sarah Strickland 0.333 acre tract as conveyed by Document No. 9824355 of the Official Records of Williamson County, Texas;

THENCE N 17° 25' 36" W along the common line between said 0.333 acre tract and the herein described tract for a distance of 101.90 feet (call N 17° 35' 00" W, 101.74') to a ½" iron rod found for an angle point hereof, same being the northeast corner of said 0.333 acre tract and being the most easterly south corner of that certain Routh-Napp Investment Group, Inc. 2.644 acre tract recorded in Volume 2703, Page 385 of the Official Records of Williamson County, Texas;

THENCE N 18°45'06" W along the common line between said 2.644 acre tract and the herein described tract for a distance of 74.17 feet to a ½" iron rod found for the Northwest corner of the herein described tract, same being the southwest corner of Lot 1, Gerritt Hills Tracts, a subdivision recorded in Cabinet D, Slide 252 of the Plat Records of Williamson County, Texas;

THENCE N 73°28'00" E (BEARING BASIS FOR THE HEREIN DESCRIBED TRACT) along the common line between said Lot 1 and the herein described tract for a distance of 215.16 feet to a ½" iron rod found for the Northeast corner hereof, same being the northwest corner of that certain Hammon Acquisitions, Inc. 0.869 acre tract recorded in Document No.2000023567, Official Records of Williamson County, Texas;

THENCE S 39°27'00" E along the common line between said 0.869 acre tract and the herein described tract for a distance of 172.13 feet to the **POINT OF BEGINNING** of the herein described tract and containing 0.951 acre (41447 SQ. FT.) of land.

SEE SURVEY ATTACHED HERETO AND MADE A PART HEREOF.

Joh. No.04-0207
August 2, 2004

Donald M. Cookston
Donald "Matt" Cookston, RPLS No.4733

